

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

ANDREW M.. SCOBLE (CABN 124940)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7249
Fax: (415) 436-7234
Email: andrew.scoble@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 05-0123 MHP
)	CR 10-0186 MHP
Plaintiff,)	
)	PROPOSED ORDER EXCLUDING
v.)	TIME FROM SPEEDY TRIAL ACT
)	CALCULATION (18 U.S.C. §
SUN KEUNG LEE,)	3161(h)(7)(A))
)	
Defendant.)	

These related cases came on for hearing before the Court on May 16, 2011. Defendant Sun Keung Lee appeared in custody with his attorney, Paul Nathan. The government appeared through Assistant United States Attorney Andrew M. Scoble. The parties represented to the Court that the defense has continued reviewing supplemental discovery provided at request of defense counsel, and that the parties have been engaged in active plea negotiations but have not yet reached a resolution. The parties jointly requested that they be allowed sufficient time to continue plea negotiations, with an exclusion of the otherwise applicable Speedy Trial Act calculation. The Court notified the parties that these related cases would be reassigned to a different district court, and set the next appearance for the parties on June 20, 2011 (subject to change by the new district judge). At the parties' request, the Court excluded time through and

PROPOSED ORDER
EXCLUDING TIME
[CR 05-0123-MHP/CR 10-0186 MHP]

1 including June 20, 2011 to allow the parties time to complete plea negotiations (which takes into
2 account the need to arrange for a Cantonese interpreter and to coordinate one or more visits by
3 defense counsel to the defendant's detention facility). The defendant agreed on the record to the
4 exclusion of time through and including June 20, 2011.

5 Accordingly, with the agreement of the parties, and with the express consent of defendant
6 Sun Keung Lee in open court, THE COURT FINDS THAT the ends of justice served by granting
7 a continuance from May 16, 2011 through and including June 20, 2011 outweigh the best
8 interests of the public and the defendant in a speedy trial, because failure to do so would
9 unreasonably deny counsel for the defendant and counsel for the government the reasonable time
10 necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C.
11 § 3161(h)(7)(A) & (B)(iv).

12 THE COURT THEREFORE ORDERS THAT the period from May 16, 2011 through
13 and including June 20, 2011 is excluded from the otherwise applicable Speedy Trial Act
14 computation pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

15 IT IS SO ORDERED.

16
17 DATED: May 17, 2011

